

Examiner-Initiated Interview Summary**Application No.**

10/565,438

Applicant(s)

COSSON ET AL

Examiner

MAURY AUDET

Art Unit

1654

All Participants:(1) MAURY AUDET, Examiner.(2) Bob Madsen, Applicant's Representative.**Status of Application:** Pending

(3) _____

(4) _____

Date of Interview: 7 May 2010**Time:** NA**Type of Interview:**

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: _____

Part I.**Rejection(s) discussed:**Written Description**Claims discussed:**All**Prior art documents discussed:**NA**Part II.****SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

The Examiner telephoned Applicant to discuss the lack of congruency (it appears) between the description of SEQ ID NOS: 5 and 6. Namely, the structure of each is supposed to be Fusion MS2CP-HA TAG-Pep58X or Pep58H, respectively (see Table 3, page 34). In reviewing SEQ ID NO: 5, it was found that residues 1-2 and 12 do not correspond to anything. While residues 3-11 correspond to the HA Tag. Residues 13-40 correspond to the 28mer Pept58X (also recited in SEQ ID NO: 1). And it can only be assumed then that some portion or all of the remainder of the residues 41-189 correspond to MS2CP. However, since the structure of MS2CP was not found in the specification or listed by sequence, such cannot be known (a review of the literature found very different structural definitions/lengths of what MS2CP is). But even if some or all of these residues are MS2CP, the formula is incorrect as described earlier - where MS2CP is supposed to precede the HA Tag and then end with 58X.

As for SEQ ID NO: 6, neither the HA Tag or Pep58H (which assumedly corresponds to the 28mer SEQ ID NO: 1) could be found in that peptide and it is unclear what this peptide is?

Applicant's representative indicated he will review this with Applicant.

The Examiner indicated a Final Rejection will be send maintaining the rejection of record.

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in prosecution of all issues. A brief summary of the substance of the interview is set forth below.

/Maury Audet/Primary Examiner, Art Unit 1654

(Applicant/Applicant's Representative Signature – if appropriate)